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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/575,505	Manuel Ferrer	FERRERETALIPCT
25889 COLLARD & ROE, P.C. 1077 NORTHERN BOULEVARD ROSLYN, NY 11576		INTERNATIONAL APPLICATION NO. PCT/EP04/52492
	I.A. FILING DATE	PRIORITY DATE
	10/11/2004	10/13/2003

CONFIRMATION NO. 3956  
371 FORMALITIES LETTER



OC00000034644828

Date Mailed: 02/23/2009

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE  
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

*Filing Date Granted*

Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to comply with the sequence rules, 37 CFR §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR § 1.821(g). Extension of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR § 1.136. In no case may an applicant extend the period for response beyond the six-month statutory period. Direct the response to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Refer to attachment or PAIR document dated SEE CRFD dated 4/24/06 (ERROR REPORT).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

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RECD PCT/PTO 18 APR 2009

PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: FERRER ET AL - 1 PCT  
PCT NO.: PCT/EP2004/052492 PCT FILED: OCTOBER 11, 2004  
SERIAL NO.: 10/575,505  
TITLE: TRANSGENIC ORGANISMS WITH LOWER GROWTH TEMPERATURE

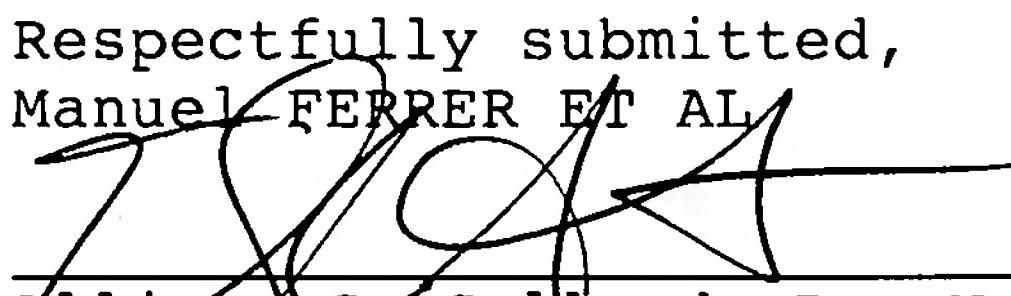
RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

MAIL STOP PCT  
Hon. Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the enclosed "Notification of Defective Response" dated February 23, 2009, submitted herewith is a corrected Sequence Listing, computer readable diskette and Statement Under Rules 821(3), 821(f), 821(g), 825(b) and 825(d).

Respectfully submitted,  
Manuel FERRER ET AL

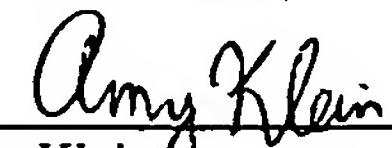
  
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ECR:lgh

Enclosures: Copy of Notification of Defective Response, corrected Sequence Listing (paper copy), computer readable and CD-Rom.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 14, 2009.

  
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Amy Klein